

ANIMAL PROTECTION ACT

Act No.4379, May. 31,1991

Amended by Act No.5153, Aug. 8,1996

Act No.5443, Dec. 13,1997

Act No.5454, Dec. 13,1997

Act No.7167, Feb. 9,2004

Article 1 (Purpose)

The purpose of this Act is to contribute to the cultivation of aesthetic sentiments, such as the respect for life, etc., through protecting the life and safety of animals by prescribing matters necessary for proper protection and administration of animals such as the prevention of cruelty to animals, etc.

Article 2 (Definitions)

The definitions of the terms as used in this Act shall be as follows:

<Amended by Act No. 5153, Aug. 8, 1996>

1. The term "animals" means cattle, horses, pigs, dogs, cats, rabbits, fowl, ducks, goats, sheep, deer, foxes, mink and other animals prescribed by the Ordinance of the Ministry of Agriculture and Forestry; and
2. The term "administrator" means the person who is engaged in breeding, administration or protection of animals for the proprietor thereof.

Article 3 (Protection of Animals)

Any person who breeds, administers or protects animals shall make efforts so that they may, so far as circumstances permit, live normally in their original habit.

Article 4 (Animal Protection Movement)

(1) The Minister of Agriculture and Forestry may, in order to enhance the consciousness of the nation about the protection of animals, encourage public organizations such as local governments, or nongovernmental organizations, to take an active part in the movement which intends to protect animals (hereafter in this Article referred to as the "animal protection movement") and other activities concerned. *<Amended by Act No. 5153, Aug. 8, 1996>*

(2) The Minister of Agriculture and Forestry may give necessary support to the animal protection movement and other activities concerned that public organizations, such as local governments, or nongovernmental organizations, execute as provided in paragraph (1). *<Amended by Act No.*

5153, Aug. 8, 1996>

Article 5 (Proper Breeding and Administration)

- (1) A proprietor or administrator of animals shall endeavor to guarantee the supply of feed and water, physical exercise, rest and sleep which are appropriate to them.
- (2) A proprietor or administrator of animals shall, if they come down with a disease or get injured, give them prompt medical treatment and take other necessary measures.
- (3) A proprietor or administrator of animals shall, in case he takes charge of wild animals or moves animals out of one pen into another, endeavor to take the steps which are necessary for the animals to adapt themselves to the new surroundings.

Article 6 (Prohibition of Cruelty, etc. to Animals)

- (1) No one shall kill animals without rational cause, with cruelty, or with a method which gives other people a sense of aversion.
- (2) No one shall inflict pain or injury upon animals without rational cause.
- (3) A proprietor or administrator of animals shall not abandon animals without reasonable cause.

Article 7 (Measures to Abandoned Animals, etc.)

- (1) In case the head of *Si/Gun*/autonomous *Gu* (hereinafter referred to as the "head of *Si/ Gun*") chances on an animal which roams about or is abandoned at a public place, such as a road, a park, etc., he shall take the necessary measures (hereinafter referred to as the "protection mea- sures") so that the animals may be protected and administered as pro- vided in Article 5.
- (2) In case the head of *Si/Gun* takes protection measures as provided in paragraph (1), he shall announce it without delay so that a proprietor or administrator of animals may recognize the fact of the protection measures.
- (3) Although a month has elapsed from the date of announcement as provided in paragraph (2), in case a proprietor or administrator of an- imals can not be identified, the relevant *Si/Gun*/autonomous *Gu* (here- after in this Article referred to as the "*Si/ Gun*") shall acquire the own- ership of the animal notwithstanding the provisions of Article 12 of the Lost Articles Act and Article 253 of the Civil Act.
- (4) The head of *Si/Gun* may donate the animal whose ownership has fallen to the relevant *Si/Gun* as provided in paragraph (3) to a zoological garden, a lover of animals, an organization for the prevention of cruelty to animals or an academic research organization, etc.
- (5) The head of *Si/Gun* may ask a proprietor or administrator of the an- imals to pay a sum of money equivalent to expenses used for the pro- tection measures.
- (6) The method of protection measures as provided in paragraph (1), the calculation of expenses as provided in paragraph (5) and other matters concerning protection measures shall be stipulated by the Municipal Ordinance of Special Metropolitan City, Metropolitan Cities, or Dos.

<Amended by Act No. 5454, Dec. 13, 1997>

Article 8 (Method for Butchering of Animals)

When it is inevitable to put animals to death, it shall be done through a method which does not cause any pain as possible as it may.

Article 9 (Operation on Animals)

When a person performs a surgical operation on animals such as castration, elimination of a horn, docking, etc., he shall do it with a veterinary method.

Article 10 (Experiments with Animals, etc.)

(1) In case an experiment using animals is conducted for education, academic research or other scientific purposes, it shall be done with a method which inflicts as little pain as possible.

(2) A person who has conducted an experiment with animals for the purposes as prescribed in paragraph (1) shall examine the relevant animal without delay after the experiment is completed.

In this case, if it is judged that the relevant animal can not recuperate or shall live with constant pain, he shall dispose of it as soon as possible with a method that does not cause pain.

Article 11 (Limitations on Application)

The provisions of Article 6 (1) and (2) shall not apply in case of the following subparagraphs:

<Amended by Act No. 5153, Aug. 8, 1996; Act No. 5443, Dec. 13, 1997; Act No. 7167, Feb. 9, 2004>

1. Where wild animals or livestock as provided in subparagraph 1 of Article 2 of the Processing of Livestock Products Act is butchered for food;
2. Where hunting has taken place as prescribed by the Protection of Wild Fauna and Flora Act;
3. Where, in order to use the fur of animals for industrial purposes, etc., the relevant animals are butchered;
4. Where, for the purpose of medicinal use or industrial purpose and the like, horns or blood, etc. of the animals are gathered;
5. Where the measures necessary for the prevention of damage to life, body, or property of man by animals, are taken; and
6. Other cases as separately prescribed by the Ordinance of the Ministry of Agriculture and Forestry because it is judged that it is inappropriate to apply the provisions of Article 6 (1) and (2).

Article 12 (Penal Provisions)

A person who has violated the provisions of Article 6 shall be punished with a fine not exceeding 200,000 won, penal detention or a minor fine.

ADDENDUM

This Act shall enter into force one month after the date of its promulgation.

ADDENDA <Act No. 5153, Aug. 8, 1996>

Article 1 (Enforcement Date)

This Act shall enter into force from the date of enforcement of the Presidential Decree concerning the organization of the Ministry of Maritime Affairs and Fisheries and the Korea National Maritime Police Agency as provided in the amended provisions of Article 41 within 30 days after its promulgation.

[Enforced on the date of its promulgation pursuant to Presidential Decree No. 15135, Aug. 8, 1996]

Articles 2 through 4 Omitted.

ADDENDA <Act No. 5443, Dec. 13, 1997>

Article 1 (Enforcement Date)

This Act shall enter into force six months after the date of its promulgation.

Articles 2 through 9 Omitted.

ADDENDUM <Act No. 5454, Dec. 13, 1997>

This Act shall enter into force on January 1, 1998. (Proviso Omitted.)

ADDENDA <Act No. 7167, Feb. 9, 2004>

Article 1 (Enforcement Date)

This Act shall enter into force one year after the date of its promulgation.

Articles 2 through 30 Omitted.